

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE SIDE JURISDICTION**  
**WRIT PETITION NO.3475 OF 2019**

|                                           |   |             |
|-------------------------------------------|---|-------------|
| M/s. Nadirshaw, Printer & Co. and others. | ] | Petitioners |
| Vs.                                       |   |             |
| Ramesh Nanalal Shah                       | ] |             |
| (since deceased)                          | ] |             |
| B.K. Niha and others.                     | ] | Respondents |

WITH

**WRIT PETITION [STAMP] NO.11672 OF 2019**

|                                      |   |             |
|--------------------------------------|---|-------------|
| B.K. Niha D/o Ramesh Nanalal Shah    | ] |             |
| and Anr.                             | ] | Petitioners |
| Vs.                                  |   |             |
| Nadirshaw, Printer & Co. and others. | ] | Respondents |

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Mr. Devendra Sharma, Advocate for the Petitioners in W.P. No.3475 of 2019 and for Respondents in W.P. [Stamp] No.11672 of 2019.

Mr. Kirit J. Hakani a/w Ms. Ms. N. Hakani, Advocates for Petitioners in W.P. [Stamp] No.11672 of 2019 and for Respondents No.1 and 2 in W.P. No.3475 of 2019.

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**CORAM : R.G. KETKAR, J.**

**DATE : 29<sup>th</sup> JULY, 2019.**

**P.C.**

Heard Mr. Sharma, learned Counsel for the petitioners in W.P. No.3475 of 2019 and for respondents in W.P.

[Stamp] No.11672 of 2019 and Mr. Hakani, learned Counsel for the petitioners in W.P. [Stamp] No.11672 of 2019 and for respondents No.1 and 2 in W.P. No.3475 of 2019.

2. Mr. Sharma, on instructions, states that the petitioners in Writ Petition No.3475 of 2019, who are the appellants before the Appellate Court have decided not to prosecute Appeal No.149 of 2014 pending before the Appellate Court. He further states that next date of hearing before the Appellate Court is 7<sup>th</sup> August, 2019 and the petitioners do not desire to prosecute the said appeal. He has tendered photo copy of the pursis dated 12<sup>th</sup> July, 2019 tendered before the Appellate Court, which is taken on record and marked 'X' for identification.

3. In view thereof, Mr. Hakani submits that as the petitioners/appellants are not prosecuting the appeal before the Appellate Court, these Petitions may be disposed of.

4. In view thereof, by consent of the parties, the Petitions are disposed of as the appellants are not prosecuting the appeal pending before in the Small Causes Court at Mumbai. Order accordingly.

**[R.G. KETKAR, J.]**